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# ADMINISTRATIVE BULLETIN

## EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

89-1

June 30, 1989

TO: All Agency and Department Heads


RE: Fiscal Year 1990 Service Contract Approvals

In order to facilitate the orderly implementation of the Service Contract Regulations promulgated in Administrative Bulletins 88-1 and 88-2, and in order to ensure the continuous availability of essential contracted services at the start of the 1990 fiscal year, I am authorizing the Comptroller to establish interim procedures as set forth below, for contract approval for services that must be available July 1, 1990.

Notwithstanding the provisions of section 6.0 of the Service Contract Regulations (Administrative Bulletin 88-1), the Comptroller is hereby authorized to accept for approval at his discretion for a limited period after the opening of Fiscal Year 1990 but no later than July 31, 1989, contracts which have been submitted to the Secretary for the contracting department after the Consultant Approval Form has been approved, provided that the services were approved on the agency Contract Plan or Contract Plan Amendment to begin on July 1, 1989, and the Consultant Approval Form has been approved by the Secretary for the contracting agency and electronic approval has been computed on OSRA by the Secretariat by June 30, 1989.

No payment for services shall be made until the contract has been approved by the Office of the Comptroller in accordance with Section 6.4. The contract documents must be in compliance with Administrative Bulletin 88-2, as modified by subsequent releases from the Comptroller. The Comptroller shall issue instructions and timelines for the submission of contract documents.

Any questions concerning this waiver may be directed to Maria Z. Mossaides, General Counsel to the Comptroller, at 727-5000.

  
L. Edward Lashman, Secretary





## ADMINISTRATIVE BULLETIN

### EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

89-2

Date: July 7, 1989

To: All Agency Heads

Re: Addendum to 88-3 (A) Concerning Emergency Temporary  
Help Master Agreements - FY'90

Attached is a listing by region of the vendors participating in the 6 month extension of the Commonwealth's Temporary Clerical Program.

Please contact Terry Herbert, Contract Specialist, in the Department of Personnel Administration at (617) 727-8432 with any questions.

RECEIVED

JUL 10 1989

DOCUMENTS  
SECTION



TEMPORARY CLERICAL HELP VENDORS  
WITH MASTER SERVICE AGREEMENTS  
EXTENDED THRU DECEMBER 31, 1989

REGION A

Check with offices listed for the branch nearest you.

The Agency Employment Systems  
326 Appleton Street  
Holyoke, MA 01040  
(413) 538-9231

Blue Arrow Temporaries  
117 Park Avenue  
Springfield, MA 01089  
(413) 734-1224

Kelly Services  
St. Luke Square  
505 East Street, Suite 106  
Pittsfield, MA 01201-5307  
(413) 445-4528

Manpower, Inc.  
1350 Main Street  
Springfield, MA 01104  
(413) 732-1171

Olsten Services  
80 Center Street  
Pittsfield, MA 01201  
(413) 499-4546

Personnel Pool of Springfield  
68 Westfield Street  
West Springfield, MA 01089  
(413) 781-4120



TEMPORARY CLERICAL HELP VENDORS  
WITH MASTER SERVICE AGREEMENTS  
EXTENDED THRU DECEMBER 31, 1989

REGION B

Check with offices listed for the branch nearest you.

Accurate Temporary Services, Inc. 390 Main Street, Suite 830 Worcester, MA 01608 (508)799-9599	Office Specialists 258 Main Street Milford, MA 01757 (508)478-7380
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The Agency Group Inc. 1 Grove Street Worcester, MA 01608 (508)795-7202	Suburban Temporaries, Inc. 30 Lyman Street Westboro, MA 01581 (508)366-8521
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Crosby Placement 118 Main Street Worcester, MA 01608 (508)755-3191	TAD Temporaries 296 Chelmsford Street Chelmsford, MA 01824 (508)256-5244
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Harvest Personnel 9 Walnut Street Worcester, MA 01608 (508)792-4545	Western Temporary Services, Inc. 221 Chelmsford Street, Suite 4 Chelmsford, MA 01824 (508)798-8781
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Kelly Services  
250 Commercial Street  
Worcester, MA 01608-1780  
(508)753-2952

Manpower, Inc.  
1 Meetinghouse Road  
Chelmsford, MA 01824  
(508)256-9110

Network Personnel  
790 Boston Post Road  
Billerica, MA 01866  
(508)663-5378

New England Search  
390 Main Street  
Worcester, MA 01608  
(508)792-0330



TEMPORARY CLERICAL HELP VENDORS  
WITH MASTER SERVICE AGREEMENTS  
EXTENDED THRU DECEMBER 31, 1989

REGION C

Check with offices listed for the branch nearest you.

A+ TEMPS  
2100 Washington Street  
Hanover, MA 02339  
(617) 871-4808

Adia Personnel Services  
99 Summer Street  
Boston, MA 02110  
(617) 951-2560

Administrative Resources, Inc.  
15 Broad Street  
Boston, MA 02109  
(617) 723-2252

Allied Personnel Services  
College Park, Yale Building  
720 Washington Street  
Hanover, MA 02339  
(617) 826-7837

American Personnel  
30 Winter Street  
Boston, MA 02108  
(617) 350-0080

Blue Arrow Temporaries  
1 Faneuil Hall Marketplace  
Boston, MA 02109  
(617) 367-9212

Butler Services Group, Inc.  
140 Wood Road, Suite 303  
Braintree, MA 02184  
(617) 848-7700

CDI Temporary Services  
607 Boylston Street  
Boston, MA 02116  
(617) 266-4545

Diamond Temporary Agency  
15 Court Square  
Boston, MA 02108  
(617) 742-5700

Exclusive Temporaries, Inc.  
10 Post Office Square  
Boston, MA 02109  
(617) 350-0445

Ford & Ford  
581 Boylston Street  
Boston, MA 02116  
(617) 437-1300

John Leonard Personnel  
1 Post Office Square  
Boston, MA 02109  
(617) 423-6800

John Leonard Personnel  
of Burlington  
20 Mall Road  
Burlington, MA 01803  
(617) 273-3870

Kelly Services  
60 Temple Place, 4th floor  
Boston, MA 02111-1305  
(617) 482-8833

Kirk/Mayer  
430 Hunnewell Street  
Needham, MA 02194  
(617) 449-7707

Manpower, Inc.  
1 State Street  
Boston, MA 02109  
(617) 723-7350

REGION C cont'd

MRI Temps  
396 Commonwealth Avenue  
Boston, MA 02115-2802  
(617)262-4900

Network Personnel  
241 Boston Post Road  
Marlborough, MA 01752  
(508)460-0510

Office Specialists  
131 Tremont Street  
Boston, MA 02108  
(617)357-8304

Olsten Services  
One Bromfield Street  
Boston, MA 02108  
(617)426-3910

Personnel Pool  
44 School Street, Suite 1000  
Boston, MA 02108  
(617)482-0696

Preferred Temporaries, Inc.  
Sears Crescent Building  
100 City Hall Plaza  
Boston, MA 02108  
(617)723-1919

Pro.File, Inc.  
779 Mt. Auburn Street  
Watertown, MA 02172  
(617)926-5100

R.A.D. Temporaries, Inc.  
80 Boylston Street  
Boston, MA 02116  
(617)338-7100

Search Temps, Inc.  
7 Alfred Street  
Woburn, MA 01801  
(617)933-5100

The Skill Bureau  
129 Tremont Street  
Boston, MA 02108  
(617)423-2986

Staff Builders  
18 Tremont Street  
Boston, MA 02108  
(617)523-1880

Suzanne's Office Service  
20 Main Street  
Hudson, MA 01749  
(508)562-3479

TAC/Temps, Inc.  
41 Winter Street, Suite 42  
Boston, MA 02108  
(617)423-3000

TAD Temporaries, Inc.  
545 Boylston Street  
Boston, MA 02116  
(617)267-7575

TCI Engineering Services, Inc.  
22 Perkins Avenue  
Malden, MA 02148  
(617)242-4902

Thomas' Temporary Dimensions, Inc  
25 Mall Road, Suite 300  
Burlington, MA 01803  
(617)270-0666

Volt Temporary Services  
59 Temple Place  
Boston, MA 02111  
(617)451-0058

Word Processors Personnel  
294 Washington Street  
Boston, MA 02108  
(617)357-5886

TEMPORARY CLERICAL HELP VENDORS  
WITH MASTER SERVICE AGREEMENTS  
EXTENDED THRU DECEMBER 31, 1989

REGION D

Check with offices listed for the branch nearest you.

Allied Personnel Services  
2 Fremont Street  
Plymouth, MA 02360  
(508) 747-5944

Kelly Services  
1010 Grand Army Highway  
Swansea, MA 02777-4501  
(508) 674-4627

Manpower, Inc.  
490 Pleasant Street  
New Bedford, MA 02740  
(508) 997-0777

TAD Temporaries  
47 Main Street  
Plymouth, MA 02360  
(508) 747-6633

Temps 24, Inc.  
7 No. Main Street, Suite 301  
Attleboro, MA 02703  
(508) 226-5000







# ADMINISTRATIVE BULLETIN

## EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

GOVERNMENT DOCUMENTS  
COLLECTION

89- 4

FEB 8 1990

University of Massachusetts  
Depository Copy

August 16, 1989

TO: All Agency and Department Heads

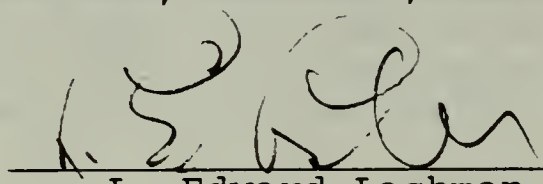
RE: Late Penalty Interest Rate

Under the provisions of M.G.L. c.29, §29C, I have certified that the interest rate paid to providers in compliance with the Office of the Comptroller's Regulations governing Late Penalty Interest, 815 CMR 4.00, shall be 7% per annum.

This interest rate is effective on July 1, 1989 and is applicable to invoices which are failed to be paid in accordance with the Comptroller's Regulations. Departments are expected to take all steps necessary to ensure that the Commonwealth's obligations are paid on a timely basis. Should payment be made late, then the formula for computation of interest shall be as follows:

amount of interest due = .0001918 X Amount of invoice X the number of days from the payment due date to the warrant date

Questions regarding the computation of interest or the regulation should be addressed to the Legal Office, Office of the Comptroller, One Ashburton Place, Room 909, Boston, MA 02108 (617) 727-5000 X256.

  
L. Edward Lashman, Jr.







# ADMINISTRATIVE BULLETIN

## EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

GOVERNMENT DOCUMENTS  
COLLECTION

89-5

FEB 8 1990

University of Massachusetts  
Depository Copy

August 21, 1989

TO: ALL AGENCY AND DEPARTMENT HEADS

RE: REVISED GUIDELINES FOR THE PREVENTION AND  
ELIMINATION OF SEXUAL HARASSMENT IN THE WORKPLACE.

The following guidelines are issued in accordance with Executive Order 200, as amended by Executive Order 240. They supersede Administrative Bulletin 84-3, issued June 4, 1984. The guidelines constitute the policy for the Commonwealth, as an employer, regarding sexual harassment. In addition, behavior which constitutes sexual harassment is defined, and the responsibilities of all state agencies and employees of the Commonwealth are set forth. A model agency procedure for the investigation of sexual harassment allegations is included. Each agency must either adopt the model, or adapt it to comport with agency organization. All agency procedures must receive the approval of the Office of the Undersecretary for Human Resource Administration, within the Executive Office of Administration and Finance prior to implementation.

### POLICY

It is the policy of the Commonwealth to promote and maintain a working environment which is free of sexual harassment. Therefore, the Commonwealth, as an employer, has the duty and responsibility of eliminating sexual harassment from the workplace. This duty arises from Executive Order 200, as amended by Executive Order 240, from Massachusetts General Laws, Chapter 151B, Section 4, Paragraphs 1 and 16B, and Title VII of the federal Civil Rights Act of 1964, both

of which include sexual harassment as a form of unlawful sex discrimination, as well as from collective bargaining agreements applying within the Executive Branch. The Commonwealth will not tolerate or condone sexual harassment by or toward its employees.

#### DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is illegal. Under Massachusetts General Laws, Chapter 151B, Section 4, Paragraphs 1 and 16A, sexual harassment is a form of sex discrimination. "Sexual harassment" includes sexual advances, requests for sexual favors, and/or other behavior of a sexual nature when:

- a. Submission to or rejection of such advances, requests or behavior is made, either explicitly or implicitly, a term or condition of employment or a basis for an employment decision; or
- b. Such behavior has the purpose or effect of interfering with work performance; or
- c. Such behavior has the purpose or effect of creating an intimidating, hostile, humiliating, or sexually offensive work environment.

Sexual harassment is not limited to prohibited behavior by a male employee toward a female or by a supervisory employee toward a non-supervisory employee. The Commonwealth's view of sexual harassment reflects, but is not limited to, the following considerations:

- a. A man as well as a woman may be the victim of sexual harassment, and a woman as well as a man may be the harasser.
- b. The harasser does not have to be the victim's supervisor. (S)he may also be an agent of the employer, a supervisory employee who does not supervise the victim, a non-supervisory employee (co-worker), or, in some circumstances, even a non-employee, such as a recipient of public services or a vendor.
- c. The victim does not have to be the opposite sex from the harasser.
- d. The victim does not have to be the person at whom



the unwelcome sexual conduct is directed. (S)he may also be someone who is affected by such conduct when it is directed toward another person. For example, (1) the sexual harassment of one female (or male) employee may create an intimidating, hostile, or offensive working environment for another female (or male) co-worker, or may interfere with the co-worker's work performance; or (2) an employee who is forced to work in an environment where preferential treatment is given to those who submit to sexual advances may be adversely affected by such conduct.

- e. Sexual harassment does not depend on the victim's having suffered a concrete economic injury as a result of the harasser's conduct. Improper sexual advances which do not result in the loss of a promotion by a victim or the discharge of the victim may, nonetheless, constitute sexual harassment where they interfere with the victim's work or create a harmful or offensive work environment. Other examples include displays of posters and inappropriate use of jokes or language of a sexual nature.

#### RESPONSIBILITIES

In order to prevent and eliminate sexual harassment, specific responsibilities of the Commonwealth, agency heads and appointing authorities, the designated Sexual Harassment Officer and each employee of the Commonwealth include, but are not limited to, the following:

- a. The Commonwealth, as an employer, is likely to be held responsible for sexual harassment, under existing statutes and case law, in three sets of circumstances:
  - (1) The Commonwealth is responsible for acts of sexual harassment by its agents and its supervisory employees.
  - (2) The Commonwealth is responsible for its employees' acts of sexual harassment of co-workers and recipients of public service, where the Commonwealth, its agents or its supervisory employees knew or should have known of the conduct.



- (3) The Commonwealth may be responsible for acts of sexual harassment by non-employees, where it, its agents or its supervisory employees knew or should have known of the conduct. The Commonwealth's responsibility for sexual harassment in this last set of circumstances depends on the extent of its supervision over the non-employee(s) and any other legal responsibility it may have with respect to the non-employee's conduct.

It is possible that the Commonwealth may not be held responsible if it can show that it took prompt and appropriate corrective action.

b. Each agency head and appointing authority shall:

- (1) Designate and train a Sexual Harassment Officer. The sexual harassment officer should be a highly-placed and visible individual within the agency.
- (2) Ensure that procedures for receiving, investigating and resolving allegations of sexual harassment are adopted and implemented. If these procedures differ from those contained in the Attachment to this Bulletin, the procedures must be reviewed and approved by the Office of the Undersecretary for Human Resource Administration within the Executive Office for Administration and Finance before implementation.
- (3) Ensure that a copy of Executive Order 200, as amended by Executive Order 240, and a copy of these guidelines are posted in a conspicuous place in each work location.
- (4) Provide each employee with a thorough description of what constitutes sexual harassment, the agency's policy, the employee's responsibilities under the policy, and the agency's grievance procedure.
- (5) Advise employees of their right to complain to the sexual harassment officer or the agency head and of the sanctions imposed for engaging in sexual harassment.

- (6) Strongly encourage employees to timely report behavior which they believe to be sexual harassment.
- (7) Take immediate and appropriate corrective actions, including disciplinary actions, with respect to employees who engage in sexual harassment.

c. The sexual harassment officer shall:

- (1) Aggressively implement the agency sexual harassment procedures and guidelines.
- (2) Inform all employees that sexual harassment is prohibited behavior which will not be tolerated or condoned and that disciplinary action will be taken against persons who engage in sexual harassment. This may be accomplished through a staff meeting or a memorandum from the appointing authority.
- (3) Inform new employees, during orientation or through a written memorandum, of the sexual harassment policy and policy procedures.
- (4) Ensure equal access to information concerning sexual harassment procedures and training, as well as equal access to the services provided pursuant to this Bulletin.
- (5) Complete a thorough investigation of each complaint in the most expeditious and confidential manner possible.
- (6) Maintain confidential, accurate and current records of each report of sexual harassment made to the Department, along with any supporting documentation or other investigative materials, as well as records of the resolution of each matter.

d. Each Commonwealth employee is personally responsible for:

- (1) Ensuring that his/her conduct does not sexually harass any other employee, applicant for employment, recipient of public services, or

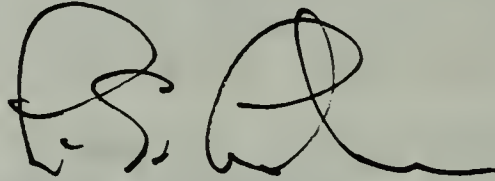
any other individual in the workplace.

- (2) Cooperating in any investigation of alleged sexual harassment by providing any information (s)he possesses concerning the matter being investigated.
- (3) Actively participating in the Commonwealth's efforts to prevent and eliminate sexual harassment and to maintain a working environment free from such discrimination.

Pursuant to Chapter 151B, section 3B, paragraph 4, any employee who files a sexual harassment claim or cooperates in an investigation is assured that (s)he may do so without fear of retaliation or reprisal.

#### SANCTIONS

Any employee found to have engaged in sexual harassment in violation of this policy is subject to disciplinary actions up to and including termination of employment.

A handwritten signature in black ink, appearing to read 'L. Lashman', with a stylized, flowing script.

L. Edward Lashman, Jr.  
Secretary of Administration and Finance





# ADMINISTRATIVE BULLETIN

## EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

89-7

September 27, 1989

RECEIVED  
NOV 13 1989  
DOCUMENTS  
COLLECTION

TO: All Agency and Department Heads

RE: Capital Spending Controls and Procedures

This Administrative Bulletin sets forth procedures to be followed by all executive branch departments, agencies and secretariats for the control of all capital spending. It supersedes Bulletin 83-8, which regulated fiscal year 1989 capital spending. These procedures and controls are necessary in order to keep the levels of capital spending aligned with the Commonwealth's capacity for the issuance of new debt and to ensure the effective prioritization of capital projects within those fiscal limits. For purposes of this Bulletin, capital spending encompasses all actions which obligate the Commonwealth to expend funds from accounts for which the issuance of Commonwealth bonds has been authorized.

This Bulletin is issued pursuant to the provisions of section 9G of chapter 29 of the General Laws, as enacted by section 39 of chapter 236 of the Acts of 1988. Except as otherwise expressly provided herein, all provisions of this Bulletin are effective immediately.

### 1. FY'90 Capital Spending Ceilings

a. The Executive Office for Administration and Finance (EOAF) will assign to each secretariat which has existing authorizations for capital spending a final FY'90 capital spending ceiling. These ceilings govern the total amounts that the secretariat and agencies within the secretariat will be authorized to expend from capital accounts during the fiscal year. The FY'90 ceiling covers all amounts already expended during the fiscal year; all amounts estimated to be expended during the fiscal year on account of obligations already incurred; and all amounts

estimated to be expended during the fiscal year on account of obligations subsequently incurred. For target purposes, please note that the ceiling includes all spending after June 30, 1989, whether on account of FY'89 or FY'90. It also includes all Budget FY'90 spending, including FY'90 accounts payable spending in July-August, 1990.

b. By October 2, each cabinet Secretary (or in the case of Higher Education, the Chancellor of the Board of Regents) shall propose to the Secretary of A&F a distribution of the ceiling allocated to his or her secretariat among the departments and agencies within the secretariat. The Secretary of A&F will promptly review, and will ordinarily approve, such proposed allocations. The cabinet Secretaries shall promptly report the proposed allocations (and any subsequent changes) to their departments and agencies as the operative FY'90 ceilings.

## 2. Agency Capital Spending Targets

By October 16, 1989, each department and agency shall submit to its cabinet Secretary and to EOAF proposed monthly spending targets for the fiscal year to date, and by the end of each subsequent month for the remainder of the fiscal year. The monthly targets shall be submitted by major program area (for these purposes, a "program" is one or several MMARS accounts related to a single area of activity.) Agencies with FY'90 spending targets of \$10 million or less may treat the entire agency as one "program." A separate attachment from the Budget Director provides forms and instructions for the monthly program plans.

After review of these submissions, the Secretary of A&F, in consultation with the agency and its cabinet Secretary, shall approve a set of monthly spending targets for each agency. The Budget Bureau will then monitor actual monthly expenditures, and compare such spending with the plans. It will be the responsibility of each agency head to take all steps necessary to insure that the agency's rate of capital spending does not, at any time, exceed its approved monthly targets.

## 3. Allotment Controls

a. When submitting requests for allotments of capital funds to A&F, it shall be the responsibility of the various Secretaries to ensure that amounts requested are consistent with Secretariats' and agencies' plans for managing spending within the FY'90 caps.



b. The Secretary for Administration may require the submission of account by account spending and allotment plans from Secretariats no later than April 1, 1990 to cover activity in the final quarter of FY'90. Such plans shall ensure that the schedule of expenditures in the final quarter of the fiscal year is consistent with Secretariat spending caps, and with the overall cash flow needs of the Commonwealth. Such plans shall be in a form to be prescribed by the Budget Bureau.

c. If at any time during the fiscal year the Secretary for Administration determines that a Secretariat's obligation and expenditure activity is inconsistent with its spending cap, the Secretary may require the submission of an account by account allotment plan, and the Budget Bureau may reduce or modify allotments accordingly, in order to ensure that the Secretariat's activities become consistent with its spending cap. (see "Monitoring of Targets" below).

#### 4. Monitoring of Targets

a. Within ten days of the end of each month, beginning with the end of October, 1989, the Comptroller shall deliver to each agency, its cabinet Secretary, and to EOAF a report indicating the total amount of capital funds expended by the agency from the start of the fiscal year to the end of the month. EOAF shall compare each agency's total to the agency's target for the month.

b. If at the end of any month an agency's year-to-date capital spending exceeds its target by more than three percent, the agency may be required to prepare and comply with a remedial action plan for the remainder of the fiscal year. The remedial action plan must detail, for each of the agency's capital accounts, the specific steps the agency will take to ensure that its capital spending in FY'90 will not exceed its FY'90 ceiling. It must specify a monthly spending target for each of the agency's capital accounts for the remainder of the fiscal year.

Remedial action plans shall be prepared in the form prescribed by the Budget Bureau and shall include all information required by the Bureau. They must be filed with the agency's cabinet secretary and with EOAF and are subject to the approval of the Secretary of A&F. Pending approval of a remedial action plan, the Secretary of A&F may freeze encumbrances or expenditures or may reduce capital allotments from some or all of the agency's capital accounts, in whole or in part, as he deems necessary. Once a remedial action plan is approved, the Secretary of A&F shall make monthly allotments for funds in each of the agency's capital



accounts, in accordance with the remedial action plan.

c. If at the end of FY'90 an agency's total capital spending for the fiscal year is in excess of its ceiling for the year, then its capital spending ceiling for the ensuing fiscal year will automatically be reduced by the amount of the excess FY'90 spending.

##### 5. Central Review of New Obligations

Effective immediately, no agency or department may enter into any new commitment of capital expenditures without the prior written approval of both its cabinet Secretary (or in the case of Higher Education, the Chancellor of the Board of Regents) and the Secretary of A&F. This requirement applies to any commitment of capital funds to which the agency is not legally obligated as of the date of issuance of this Bulletin. An agency shall not take any step that will obligate it to expend capital funds (such as signing a construction contract or issuing a grant award letter), nor any step that would ordinarily lead to the obligation of capital funds (such as advertising for bids or inviting grant applications) without first obtaining the required written approvals.

Prior review of new encumbrances by the Secretary of A&F is waived in the following instances, so long as the new encumbrances together with existing authorized spending will not result in spending that exceeds FY'90 capital spending ceilings:

- o Emergency projects which remedy threats to health, safety or structural integrity of a state facility. Such projects include those certified as "legal emergencies" by the Division of Capital Planning and Operations under the provisions of G.L. Ch. 7, §38J. For emergency projects not subject to §38J, the Secretary for an agency may certify that such an emergency exists.
- o In the case of existing construction projects, change orders or other "equitable adjustments to contracts" attributable to unforeseen construction conditions, similar to those described in G.L. Ch. 20, §39N.
- o Also in the case of existing projects, contracts for services necessary to complete integral parts of a project in progress. Such services would include, for example, interior work and furnishings and equipment for completed building shells. This

provision does not include, for example, construction of projects with existing design contracts; or addition of new buildings or annexes to a building construction project that is under contract.

Agencies must, however, obtain the consent of their cabinet Secretaries for all new commitments. Cabinet Secretaries shall report monthly to A&F on the dollar volume of new obligations entered into without A&F approval under these exceptions.

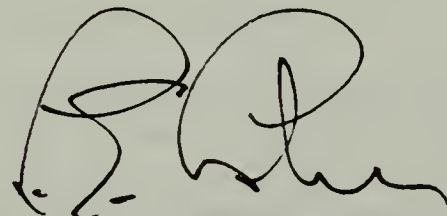
The Budget Director will monitor obligation and encumbrance activity of each agency. If an agency enters into any new obligations without A&F approval except as authorized herein, the Secretary of A&F may impose penalties, including the use of the MMARS system to prevent any further contractual activity, and reductions in allotments to prevent cash expenditures.

#### 6. Design Issues

Agencies are reminded that Administrative Bulletin 88-5, "State Policies on Design", remains in effect. The purpose of 88-5 is to guide agencies toward quality design and development work, in order to ensure that public investments in the built and natural environment create a legacy which promotes an economic, cultural and aesthetic vitality throughout the Commonwealth.

#### 7. Questions

Should you have questions regarding this Administrative Bulletin, please contact me, or have your staff or agency managers contact Peter Enrich, A&F General Counsel (727-2070) or Ron Lanoue, Manager of Capital Planning (727-2081.)



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L. Edward Lashman, Jr.  
Secretary







# ADMINISTRATIVE BULLETIN

## EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

89-8

October 19, 1989

RECEIVED

NOV 13 1989

DOCUMENTS  
COLLECTION

To: All Agency and Department Heads

Re: POLICY ON A DRUG-FREE WORKPLACE

The Commonwealth of Massachusetts is required to comply with the newly enacted Federal Drug-Free Workplace Act of 1988. The Act requires that all recipients of Federal grant monies establish a Drug Free Workplace Policy and implement the Act. The Act also provides sanctions to be imposed on those who fail to comply.

The Commonwealth of Massachusetts certifies that agencies who receive federal grants will provide a drug-free workplace by:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in all state workplaces and that specific actions will be taken against employees who violate such prohibition.
- B. Establishing a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the state-wide policy of maintaining a drug-free workplace; available drug counseling, rehabilitation and employee assistance programs; and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- C. Requiring that each employee engaged in the performance of a grant be given a copy of the statement required above.
- D. Notifying the employee that as a condition of employment under the grant, the employee will abide by the terms of the statement and notify the supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

- E. Notifying the appointing authority within ten days of receiving such notice of conviction, and taking appropriate personnel action against such employee or requiring the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program.
- F. Making a good faith effort to continue to maintain a drug-free workplace through the implementation of the above paragraphs.

Attached is a sample notification statement which is required to be given to each employee working on a federal grant program. It is advisable to ask the employee to read and sign the statement, to be placed in his/her personnel record, either when a new grant program begins or when the employee joins an existing program.

Each agency should also establish a brief drug-free awareness program. Information can be obtained from the Governor's Alliance On Drugs, 727-0786.



---

L. Edward Lashman, Jr.  
Secretary

Attachment



SAMPLE AGENCY LETTER

TO: All Employees

FROM: (Agency Head)

RE: Drug Free Workplace Policy

DATE:

The Department of () seeks to ensure a safe, healthy and productive work environment for all employees. Evidence clearly indicates that illegal drug use by employees results in low productivity, high absenteeism, excessive use of medical benefits, and a risk to their own safety as well as that of their co-workers. In a good faith effort to comply with the federal Drug-Free Workplace Act of 1988, recently enacted by Congress, the Department wants to re-emphasize its long-standing policy against the illegal use of drugs on Department premises. It is prohibited for any employee of the Department to unlawfully manufacture, distribute, dispense, posses or use controlled substances at the workplace.

The Department of () has taken steps to combat the dangers posed by illegal drugs. Through the Governor's Alliance on Drugs and their health plan providers, employees can receive information on the dangers of illegal drugs as well as confidential counseling to assist employees in dealing with the problems associated with the use of illegal drugs.

In a further effort to safeguard its employees, the Department policy calls for disciplinary action, up to and including termination in instances where employees are found to have engaged in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the workplace. In compliance with the Drug-Free Workplace Act of 1988, all employees are required to adhere to the provisions and requirements contained in this letter. In addition, all employees are required to notify this office of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction. Any employee convicted of a drug offense for a violation which occurred in the workplace may be required to participate in a drug rehabilitation program or be subject to termination.

If you have any further questions, please contact (agency designee).



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